

resides, or transacts business, on application by the United States and after notice to that person, shall have jurisdiction to issue an order requiring that person to appear and give testimony before the Secretary, to appear and produce documents before the Secretary, or both.

“(B) FAILURE TO OBEY.—Any failure to obey an order issued by a court under subparagraph (A) may be punished by that court as a contempt of that court.”.

SA 4606. Mr. REED submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XV, insert the following:

SEC. _____. SEMIANNUAL NOTIFICATIONS REGARDING MISSILE DEFENSE TESTS AND COSTS.

(a) SEMIANNUAL NOTIFICATIONS REQUIRED.—For each period described in subsection (b), the Director of the Missile Defense Agency shall submit to the congressional defense committees a notification of all—

(1) flight tests (intercept and non-intercept) planned to occur during the period covered by the notification based on the Integrated Master Test Plan the Director used to support the President's budget submission under section 1105 of title 31, United States Code, for the fiscal year of the period covered; and

(2) ground tests planned to occur during such period based on such plan.

(b) PERIODS COVERED.—For purposes of this section, the periods covered under this section are—

(1) the first 180-calendar-day period beginning on the date that is 90 days after the date of the enactment of this Act; and

(2) each subsequent, sequential 180-calendar-day period beginning thereafter until the date that is five years and 90 calendar days after the date of the enactment of this Act.

(c) TIMING OF NOTIFICATION SUBMITTAL.—Each notification submitted under subsection (a) for a period described in subsection (b) shall be submitted—

(1) not earlier than 30 calendar days before the last day of the period; and

(2) not later than the last day of the period.

(d) CONTENTS.—Each notification submitted under subsection (a) shall include the following:

(1) For the period covered by the notification:

(A) With respect to each flight test described in subsection (a)(1), the following:

(i) The entity responsible for leading the flight test (such as the Missile Defense Agency, the Army, or the Navy) and the classification level of the flight test.

(ii) The planned cost (the most recent flight test cost estimate, including interceptors and targets), the actual costs and expenditures to-date, and an estimate of any remaining costs and expenditures.

(iii) All funding (including any appropriated, transferred, or reprogrammed funding) the Agency has received to-date for the flight test.

(iv) All changes made to the scope and objectives of the flight test and an explanation for such changes.

(v) The status of the flight test, such as conducted-objectives achieved, conducted-objectives not achieved (failure or no-test), delayed, or canceled.

(vi) In the event of a flight test status of conducted-objectives not achieved (failure or no-test), delayed, or canceled—

(I) the reasons the flight test did not succeed or occur;

(II) in the event of a flight test status of failure or no-test, the plan and cost estimate to retest, if necessary, and any contractor liability, if appropriate;

(III) in the event of a flight test delay, the fiscal year and quarter the objectives were first planned to be met, the names of the flight tests the objectives have been moved to, the aggregate duration of the delay to-date, and, if applicable, any risks to the warfighter from the delay; and

(IV) in the event of a flight test cancellation, the fiscal year and quarter the objectives were first planned to be met, whether the objectives from the canceled test were met by other means, moved to a different flight test, or removed, a revised spend plan for the remaining funding the agency received for the flight test to-date, and, if applicable, any risks to the warfighter from the cancellation; and

(vii) the status of any decisions reached by failure review boards open or completed during the period covered by the notification.

(B) With respect to each ground test described in subsection (a)(2), the following:

(i) The planned cost (the most recent ground test cost estimate), the actual costs and expenditures to-date, and an estimate of any remaining costs and expenditures.

(ii) The designation of the ground test, whether developmental, operational, or both.

(iii) All changes made to the scope and objectives of the ground test and an explanation for such changes.

(iv) The status of the ground test, such as conducted-objectives achieved, conducted-objectives not achieved (failure or no-test), delayed, or canceled.

(v) In the case of a ground test status of conducted-objectives not achieved (failure or no-test), delayed, or canceled—

(I) the reasons the ground test did not succeed or occur; and

(II) if applicable, any risks to the warfighter from the ground test not succeeding or occurring;

(vi) The participating system and element models used for conducting ground tests and the accreditation status of the participating system and element models.

(vii) Identification of any cybersecurity tests conducted or planned to be conducted as part of the ground test.

(viii) For each cybersecurity test identified under subparagraph (G), the status of the cybersecurity test, such as conducted-objectives achieved, conducted-objectives not achieved (failure or no-test), delayed, or canceled.

(ix) In the case of a cybersecurity test identified under subparagraph (G) with a status of conducted-objectives, not achieved, delayed, or canceled—

(I) the reasons for such status; and

(II) any risks, if applicable, to the warfighter from the cybersecurity test not succeeding or occurring.

(2) To the degree applicable and known, the matters covered by paragraph (1) but for the period subsequent to the covered period.

(e) ADDITIONAL MATTERS.—

(1) EVENTS SPANNING MULTIPLE NOTIFICATION PERIODS.—Events that span from one period described in subsection (b) into another described in such subsection, such as a case of a failure review board convening in one period and reaching a decision in the fol-

lowing period, shall be covered by notifications under subsection (a) for both periods.

(2) FORM.—Each notification submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 4607. Mr. KELLY submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 813 and insert the following:

SEC. 813. LIMITATION ON AUTHORITY TO USE INTERGOVERNMENTAL SUPPORT AGREEMENTS FOR INSTALLATION-SUPPORT SERVICES.

Section 2679(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(5) Nothing in this subsection shall be construed as limiting the authority or applicability to any contract of section 8503(a) of title 41.”.

SA 4608. Mr. PETERS (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—INSPECTOR GENERAL INDEPENDENCE AND EMPOWERMENT ACT OF 2021

SEC. 5101. SHORT TITLE.

This division may be cited as the “Inspector General Independence and Empowerment Act of 2021”.

TITLE LI—INSPECTOR GENERAL INDEPENDENCE

SEC. 5111. SHORT TITLE.

This title may be cited as the “Securing Inspector General Independence Act of 2021”.

SEC. 5112. REMOVAL OR TRANSFER OF INSPECTORS GENERAL; PLACEMENT ON NON-DUTY STATUS.

(a) IN GENERAL.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 3(b)—

(A) by inserting “(1)(A)” after “(b)”;

(B) in paragraph (1), as so designated—

(i) in subparagraph (A), as so designated, in the second sentence—

(I) by striking “reasons” and inserting the following: “substantive rationale, including detailed and case-specific reasons.”; and

(II) by inserting “(including to the appropriate congressional committees)” after “Houses of Congress”; and

(ii) by adding at the end the following:

“(B) If there is an open or completed inquiry into an Inspector General that relates to the removal or transfer of the Inspector General under subparagraph (A), the written communication required under that subparagraph shall—